

OPINION



ALABAMA LEGISLATURE

Hiding our talents, Alabama gets what it deserves

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The Alabama Legislature is in the middle of doing nothing again.

Nothing.

Which, as I've frequently joked, is a best-case scenario.

It is sadly true, but it's not funny.

Because doing nothing is easy, and lazy, and cowardly. It is — for the Biblically inclined — like hiding your master's talents in a deep, dank hole.

If you don't do anything, they can't blame you for anything you do.

Gutless. Predictable. And Alabama politics 101.

Grouse about waste and incompetence enough, and voters won't see your waste and incompetence. Make government the enemy and you don't have to govern at all.

You don't have to tax fairly or balance a budget in a conscientious way. You don't have to make hard choices about lotteries or anything else. Just moan like a political anorexic about fat in the budget. And get re-elected.

Imagine what would happen if Alabama ruled the world. Or the country.

We'd never know the things that made America great. Go ahead, try it. Pick any of the government actions that changed this country. Find one that brought hope or opportunity or fairness, and put it to the Alabama test.

I'm not talking about what Alabama did in the past. I'm talking about how today's Alabama would view the country's most important programs.

The New Deal? Doubt it. It jump-started the country and the state in the Great Depression, bringing jobs and sustenance and diversification of the economy. It saved banks, but Alabama's Big Mules — banks and utilities and powers that still get what they want — opposed it from the start.

They still would.

Social Security and Medicare? They cut old-age poverty in half, but would surely be blistered in Alabama as a socialist giveaway. Face it, Alabama doesn't even want to fund Medicaid, which serves a fifth of Alabama residents and provides a foundation for healthcare in much of the state.

The National Parks? Forget about it. They may be an American treasure, but Alabama is predictable as Old Faithful.

State politicians have raided state park budgets five years in a row, closing five parks and cutting services to six more.

Mollie Beattie, the late director of the U.S. Fish and Wildlife Service famously said, "What a country chooses to save is what a country chooses to say about itself."

Alabama's choices say a lot.

Equality? Not so much.

America, if slowly, has worked to promote fairness and the concepts of equality espoused in the U.S. Constitution.

Alabama stands in the doorway of opportunity until forced to step aside by America. It fought a war over emancipation, protested desegregation and challenged the Voting Rights Act then and now. It rails against gay marriage and got a comeuppance in the courts over its angry immigration law.

Antitrust laws? You must be joking.

Those laws have worked to protect and promote competition across the country, but it's hard to imagine in Alabama, where you can kill a bill in committee — like those in the payday lending business did — with only a few thousand dollars.

Food Stamps? Get outta here. This is a pull-yourself-up-by-your-bootstraps place.

Environmental Protection? Bahaha. Ask an Alabama politician about the EPA and you won't hear a thing about clean water or air. Only "jobs, jobs, jobs."

Maybe there are a few federal programs Alabama would back. The GI Bill, I hope. Or the Interstate Highway System. Let's face it, those with power in the state are those who lay down asphalt.

But the rest is seen as too big a waste. Or too big a political risk.

We let frightened politicians invest in our future by hiding it in a hole in the ground. So we get what we deserve.

ALCOHOL AND TEENS

We've got to change the message on campus drinking

Dr. Alan Blum forAL.com

College students are back on campus, and so are the beer ads on near-by billboards and in football gameday programs.

According to the National Institute on Alcohol Abuse and Alcoholism (NIAAA), the first six weeks of freshman year is the most vulnerable time for heavy drinking and alcohol-related consequences because of a new set of expectations and social pressures.

The routine response of university administrations in recent years has been to require that freshmen view a brief online alcohol education module. But such material is often produced by alcohol industry-funded entities such as BACCHUS (originally an acronym for Boosting Alcohol Consciousness Concerning the Health of University Students) and the Foundation for Advancing Alcohol Responsibility. Meanwhile, the industry blames drinking problems on genetics, parental upbringing, and peer pressure — in short, anything to avoid implicating its own multibillion dollar advertising campaigns to drive up consumption.

The theme of campus alcohol education programs is "responsible drinking," with scant mention of the choice — much less the benefits — of not drinking. Alcohol industry prevention messages on college campuses and in the mass media are solely about drunk driving, underage drinking, and binge drinking (defined as more than 4 or 5 drinks in two hours), with industry-coined slogans such as "Drink Safely," "Drink Responsibly," "Don't Drink and Drive," "After Three Give Up the Key," and "Think When You Drink."

If the alcohol industry truly wanted to reduce the harmful effects of drinking by college students, then it would blitz the airwaves and social and print media with more truthful slogans like "Don't Drink and Act Stupid," "Don't Drink and Fall Off Your Balcony," and, of course, "Don't Drink and Barf." That's because alcohol-related motor vehicle collisions, falls and assaults kill, maim, sicken, impregnate, or incarcerate thousands of high school and college students every year. The NIAAA estimates that annually there are 1,800 deaths among college students in alcohol-related accidents, 690,000 assaults of students by other students who have been drinking, and 97,000 reported sexual assaults related to alcohol.

What is the alcohol industry's solution to drinking before driving? Choose a designated driver. That may save some lives, but it's a cop-out that also enables non-designated drivers, including potential problem drinkers, to keep drinking. The latest enabling gimmick in Tuscaloosa and other university towns is a fleet of go-karts with brightly lit signs for Bud Light, Coors and Miller Lite that shuttle students to and from campus dorms and downtown bars.

Drinking is so ingrained in campus life that any serious effort by, say, the American Cancer Society to increase public awareness of even moderate drinking's links to breast, esophagus and oral cancers would seem to be doomed to failure. Add to the list of alcohol's common effects impotence, depression, ulcers, pancreatitis and a host of other debilitating illnesses.

Little publicized is the fact that before, during and after major college football games local emergency rooms are



A billboard near the University of Alabama campus advertises Bud Light. Courtesy Alan Blum

flooded with passed-out students from alcohol poisoning, several of whom wind up on ventilators in the intensive care unit.

"If there were another drug being used today that sent 20-30 kids a week to the emergency department, and a few of them died, it would be a national outrage," noted Dr. Steven Kronick, an emergency medicine physician at the University of Michigan Health System in a 2015 report on drinking at Michigan university campuses published by the Center for Michigan, a non-profit public policy think-tank. The Center likened the crush of over 200 patients made ill from drinking at one Lansing hospital on the day of the Michigan State-Michigan game in 2014 to a "mass-casualty event."

To be sure, abstinence in anything has become a dirty word, and calls for moderation have become a meaningless mantra. Meanwhile, the situation of teenage and college-age drinking is getting worse, as evidenced by the popularity of sweetened alcoholic beverages such as hard sodas, caffeine- and alcohol-fortified energy drinks, canned cocktails, flavored vodkas and flavored beers.

Just as we discourage teenagers from taking up smoking in order to prevent lung cancer, emphysema and heart disease later on, so universities must improve their education of the college-age population about drinking practices — and alcohol marketing — that lay the groundwork for serious diseases down the road.

As it stands, the virtual silence of medical associations, public health organizations, the National Collegiate Athletic Association and universities themselves in the face of an unchecked culture of alcohol abuse on university campuses and the dramatic increase in alcohol promotions targeted to college students is deafening.

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ALABAMA ETHICS LAW

Does Alabama's lobbyist training policy violate the First Amendment?

Paul Sherman forAL.com

Should people be required to take a class before they're allowed to exercise their First Amendment rights? If the answer seems obvious, you might be surprised to learn that the Alabama Ethics Commission requires exactly that for a huge range of people who want to do nothing more than pick up the phone and call elected officials.

Those people include Maggie Ellinger-Locke, legislative counsel for the Marijuana Policy Project, a nonprofit organization founded in 1995 that advocates nationwide for reforming marijuana laws. As part of her job, Maggie talks with legislators in 11 states, giving advice and recommendations on ways that state marijuana policy can be made more just, sensible and humane.

Because talking to government officials is a regular part of Maggie's job, she is considered a lobbyist under Alabama law if she makes even a single phone call to an Alabama legislator to discuss marijuana policy. And, unfortunately for her, all lobbyists in Alabama are required to take an in-person ethics class held only in Montgomery and held only four times a year.

That's a problem because Maggie doesn't live in Alabama — she lives in Arlington, Va., and works in Washington, D.C., where the Marijuana Policy Project is headquartered.

Yet Alabama law grants no exemptions to people who live outside of Alabama or conduct all their business from outside of Alabama. Maggie knows because she asked. In an advisory opinion issued by the Alabama Ethics Commission, the Commission confirmed that even though it "places a burden on the individual desiring to register as a lobbyist ... there are no exceptions to this mandatory training requirement."

Maggie is far from the only person affected by this policy. Approximately 17 percent of lobbyists registered in Alabama in 2016 were from outside the state, and about half are from outside of Montgomery. On average, lobbyists have to travel more than 130 miles to attend their mandatory ethics training.

Is this burdensome, in-person training necessary? Hardly. Municipal mayors, council members and commissioners, county commissioners and members of any local board of education are required to take similar

training — yet that program may be conducted online. Many public employees are also required to satisfy a training program, which is also offered online or on DVD.

But Alabama's mandatory ethics training is more than just bad policy — it's unconstitutional. The right to talk to government officials about matters of public policy is one of the most important rights protected by the First Amendment. And just as the government can't force people to take classes before they're allowed to lead parades or give public speeches, it can't force Maggie to take a class before she's allowed to talk to government officials.

That's why Maggie and the Marijuana Policy Project are fighting back. They've joined with the Institute for Justice, a nonprofit, public-interest law firm, to file a First Amendment challenge in federal court to Alabama's unconstitutional training requirement for lobbyists. If a person wants to talk to an elected official about a matter of public policy, they shouldn't have to take a government-mandated class. Instead, the only thing they should need is an opinion.

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